

REMARKS

The Examiner is requiring restriction in the above-identified application as follows:

Group I: Claims 1-12 and 14, drawn to a process for the production of L-Lysine;

Group II: Claim 13, drawn to a mutant of a coryneform bacterium that produces L-lysine;

Group III: Claims 15-19, drawn to a feedstuff additive from the fermentation broth;

Group IV: Claim 20, drawn to a method of feeding an animal; and

Group V: Claim 21, drawn to a method of making a feed comprising admixing L-lysine or a solid or liquid fraction.

Additionally, and separately, the Examiner is requiring the election of a single disclosed species from both Claim 4 and Claim 5.

Applicants have elected, with traverse, Group I: Claims 1-12, for further prosecution.

Applicants have also provisionally elected the species: dapA gene, for Claim 4; and the species: citE gene, for Claim 5. Claims 1-16 read on the elected species: dapA gene.

Claims 1-16 read on the elected species: citE gene.

Applicants respectfully traverse on the grounds that the Office has not shown that a burden exists in searching the entire application.

MPEP in §803 states as follows:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

With respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non-elected species.

Applicants submit that the present application is in condition for examination on the merits. Early notification to this effect is respectfully requested.

Respectfully submitted,

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